

SEALED

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

(1) DI'LON SMITH, a/k/a DILON SMITH, and
(2) DENZEL SMITH,

Defendants.

) Criminal No. 18cr10087
)
) VIOLATION:
)
) **Count One:**
) 18 U.S.C. § 922(g)(1)
) Felon in Possession of a Firearm and
) Ammunition
)
) 18 U.S.C. § 2
) Aiding and Abetting
)
) Firearm Forfeiture Allegation
) 18 U.S.C. § 924(d), 28 U.S.C. § 2461(c)

INDICTMENT

**COUNT ONE: 18 U.S.C. § 922(g)(1) (Felon in Possession of a Firearm and Ammunition),
and 18 U.S.C. § 2 (Aiding and Abetting)**

The Grand Jury charges that:

On or about November 29, 2017, in Hyannis, in the District of Massachusetts,

(1) DI'LON SMITH, a/k/a DILON SMITH, and
(2) DENZEL SMITH,

defendants herein, each having previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm and ammunition, to wit: one Smith & Wesson .22 caliber revolver bearing serial number BDT7744, one Heckler & Koch .9 caliber pistol bearing serial number 214-023881, six rounds of .22 caliber ammunition, and eighteen rounds of .9 caliber ammunition.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 2.

FIREARM FORFEITURE ALLEGATION
(18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c))

The Grand Jury finds that:

1. Upon conviction of the offense in violation of Title 18, United States Code, Section 922(g)(1) set forth in Count One of this Indictment,

(1) DI'LON SMITH, a/k/a DILON SMITH, and
(2) DENZEL SMITH,

defendants herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in or used in any knowing commission of the offense. The property to be forfeited includes, but is not limited to, the following:

- a. One Smith & Wesson .22 caliber revolver bearing serial number BDT7744,
- b. One Heckler & Koch .9 caliber pistol bearing serial number 214-023881,
- c. Six rounds of .22 caliber ammunition, and
- d. Eighteen rounds of .9 caliber ammunition.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendants --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;


it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461.

A TRUE BILL



FOREPERSON OF THE GRAND JURY



Christine J. Wickers
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS; April 5, 2018

Returned into the District Court by the Grand Jurors and filed.



DEPUTY CLERK

4/5/18 @ 12:35pm